IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.6528 of 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Shri S.P. Bhandarkar, Counsel for Petitioner.

Coram : R.C. Chavan, J.
Dated : 16th March, 2007

The petitioner seeks his reinstatement as Librarian in a College run at Bhusawal upon being denied the same by the University Tribunal at Nagpur.

The learned counsel for the petitioner with admirable tenacity tried to rope in as many arguments as possible in his favour. However, as the Tribunal has rightly observed that the petitioner was claiming to have worked on a post which did not at all exist, the petitioner could not get the relief of resinstatement sought. Consequently, there is no question of any deemed permanency.

As far as the grievance of the petitioner about the salary for the period for which he claimed to have worked, the petitioner having filed a writ petition bearing No.5022 of 1999 before Aurangabad Bench and the Court having held that the grievance regarding payment of salary for the period the petitioner had worked in respondent No.1 College,

does not survive, the petitioner cannot reagitate the same issue now. The order in the said writ petition was rendered on 10-4-2000 and the grievance of non-payment of salary made related to the period before the said petition was filed.

In view of this, the petition is devoid of any merit and it is dismissed.

Judge **Judge**

Pdl.